

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: MAY 14, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-33733 - APPLICANT: CBS OUTDOOR - OWNER: ADDILAND, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Conformance to the conditions for Special Use Permit (U-0160-96).
2. This Special Use Permit shall be placed on an agenda closest to June 20, 2012 at which time the City Council may require the Off-Premise Sign (Billboard) be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign (Billboard) is removed.
3. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
4. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0160-96) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is in response to a Required Review of a previously approved Special Use Permit (U-0160-96) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) located at 1201 South Jones Boulevard.

**BACKGROUND INFORMATION**

<i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc. and Property Sales</b></i>	
04/20/66	The City Council approved a request for Rezoning (Z-0017-66) from R-E (Residence Estates) to C-1 (Limited Commercial) of property generally located on the west side of Jones Boulevard between Charleston Boulevard and Oakey Boulevard. The Planning Commission recommended approval on 04/14/66.
11/18/87	The City Council approved a request for Rezoning (Z-0099-87) from R-E (Residence Estates) to C-1 (Limited Commercial) of property generally located on the west side of Jones Boulevard, south of Charleston Boulevard for proposed Pool and Spa Sales. The Planning Commission recommended approval on 10/27/87.
05/01/96	The City Council approved a request for a Variance (V-0009-96) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) to be 250 feet from residentially zoned property where 300 feet is the minimum distance separation required at 1201 South Jones Boulevard. The case was changed to VU-0009-96 due to property across the street being rezoned prior to City Council action and the Variance no longer required, in addition to it later being changed to a Special Use Permit (U-0160-96) due to a Required Review.
06/20/01	The City Council approved a request for a Required Review (U-0160-96) of an approved Special Use Permit, which allowed a 14-foot by 48-foot Off-Premise Sign (Billboard) 250 feet from residentially zoned property where 300 feet is the minimum distance separation allowed on property located at 1100 South Jones Boulevard. The Planning Commission recommended approval on 05/10/01.

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<b><i>Related Building Permits/Business Licenses</i></b>	
c.1988	Main building construction date
12/02/96	A building permit (96023633) was issued for the installation of a billboard sign at 1100 South Jones Boulevard. The permit was finalized on 12/03/96.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting was not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
04/09/09	<p>Staff conducted a field check of the subject site with the following observations:</p> <ul style="list-style-type: none"> <li>• The sign faces appeared in good condition, but require bird deterrent devices as there are definite signs of a bird nuisance on the pole and ground area surrounding the structure.</li> <li>• The sign has no embellishments, animated signage, or electronic displays.</li> <li>• All structural elements are screened from public view.</li> </ul>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.93

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
South	Offices	SC (Service Commercial)	O (Offices)
East	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)
West	School, Child Care Center, and Church	PF (Public Facilities)	C-V Civic)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>	X		Y
A-O Airport Overlay District (200 feet)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

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**DEVELOPMENT STANDARDS**

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located in C-1 (Limited Commercial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 672 square feet in size: no embellishment.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements are screened from public view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-Premise Sign (if not along US-95)	Sign is at least 300 feet from another sign and is not located along a freeway.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is at least 300 feet from property zoned for residential use.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is not located on residentially zoned property.	Y

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## **ANALYSIS**

This is the second Required Review for a previously approved Special Use Permit (U-0160-96) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 1201 South Jones Boulevard. A research of the building permit history found that sign permit #96023633 was issued for the installation of a billboard sign, which received a final inspection on 12/03/96 under the address of 1100 South Jones Boulevard. During a field check of the subject site, staff found the sign faces in good condition, but there was a large accumulation of bird feces on the pole structure and ground area surrounding the sign.

## **FINDINGS**

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. According to a review of City records, the final inspection for the Off-Premise Sign (Billboard) was completed on 12/03/96. Pigeon abatement measures on the sign will need to be installed to remedy the existing bird nuisance, which have been added as a condition of approval. The area surrounding the sign has not experienced any significant changes in land use or development; therefore, staff recommends approval, subject to a three-year review.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT**      3

**SENATE DISTRICT**      8

**NOTICES MAILED**      119

**APPROVALS**      0

**PROTESTS**      1